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SEVENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT  
Patent Application  
Docket No. UF-270  
Serial No. 10/054,619

June 28, 2005

Margaret Efron, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard Melker and David G. Bjoraker  
Serial No. : 10/054,619  
Date Filed : January 22, 2002  
Examiner : Navin Natnithithadha  
Art Unit : 3736  
Conf. No. : 5786  
For : Method and Apparatus for Monitoring Intravenous (IV) Drug  
Concentration Using Exhaled Breath

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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07/05/2005 BABRAHA1 00000051 190065 10054619  
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SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98

Sir:

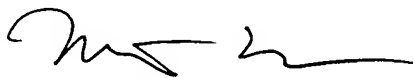
In accordance with 37 C.F.R. §1.56, 1.97, and 1.98 the references listed on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. For the examiner's convenience, full text copies of the non-patent literature documents and a copy of the first page of the cited foreign patent documents are enclosed. A full-text copy of U.S. Patent Application

No. 09/708,789 is also provided herewith. The Applicants further note that German Patent Application Nos. DE 19607646 and DE 29902593, European Patent Application No. 09799997, Japanese Patent Application Nos. JP 08313407 and JP 09196915, and Russian Patent Application No. RU 2104535 cited as F1, F2, F4, F8, F9, and F10, respectively, on the attached Form PTO/SB/08 are written in a foreign language. However, English language abstracts are provided for each of these foreign patent documents.

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action, but before the mailing of a Final Action or the Notice of Allowance. Please charge the fee of \$180.00 to Deposit Account No. 19-0065.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. The applicants assert that the substantive provisions of 37 C.F.R. §§1.56, 1.97, and 1.98 are met by the foregoing statement.

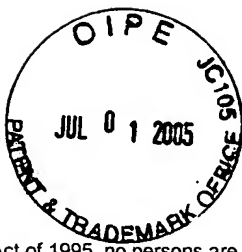
Respectfully submitted,



Margaret Efron  
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MHE/lj

Attachments: Form PTO/SB/08  
Copies of cited references listed



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)  Sheet <u>1</u> of <u>8</u>			<b>Complete if Known</b>	
			Application Number	10/054,619
			Filing Date	January 22, 2002
			First Named Inventor	Richard J. Melker
			Group Art Unit	3736
			Examiner Name	Navin Natnithithadha
			Attorney Docket Number	UF-270

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code <sup>2</sup>	Kind (if known)			
	U1	3,567,029		03-02-1971	Quame	
	U2	3,792,272		02-12-1974	Harte <i>et al.</i>	
	U3	3,608,546		09-28-1971	Shinn	
	U4	3,877,291		4-15-1975	Hoppesch <i>et al.</i>	
	U5	3,955,926		5-11-1976	Fischer	
	U6	4,150,670		04-24-1979	Jewett <i>et al.</i>	
	U7	4,215,409		07-29-1980	Strowe	
	U8	4,314,564		02-09-1982	Albarda	
	U9	4,334,540		6-15-1982	Preti <i>et al.</i>	
	U10	4,346,584		08-31-1982	Boehringer	
	U11	4,349,626		9-14-1982	Labows <i>et al.</i>	
	U12	4,432,226		02-21-1984	Dempster	
	U13	4,456,014		06-26-1984	Buck <i>et al.</i>	
	U14	4,534,360		8-13-1985	Williams	
	U15	4,735,777		04-05-1988	Mitsui <i>et al.</i>	
	U16	4,772,559		9-20-1998	Preti <i>et al.</i>	
	U17	4,868,545		09-19-1989	Jones	
	U18	5,082,630		01-21-1992	Partin <i>et al.</i>	
	U19	5,094,235		03-10-1992	Westenskow <i>et al.</i>	
	U20	5,111,827	A	05-12-1992	Rantala	
	U21	5,167,972	A	12-01-1992	Greenberg <i>et al.</i>	
	U22	5,296,706	A	03-22-1994	Braig <i>et al.</i>	
	U23	5,303,575	A	04-19-1994	Brown <i>et al.</i>	
	U24	5,361,771	A	11-08-1994	Craine <i>et al.</i>	
	U25	5,409,839	A	04-25-1995	Balestrieri <i>et al.</i>	
	U26	5,425,374	A	06-20-1995	Ueda <i>et al.</i>	
	U27	5,447,165	A	09-05-1995	Gustafsson	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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			First Named Inventor	Richard J. Melker
			Group Art Unit	3736
			Examiner Name	Navin Natnithithadha
Sheet 2 of 8	Attorney Docket Number	UF-370		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code <sup>2</sup>	Kind (if known)			
	U28	5,453,359	A	09-26-1995	Gargan <i>et al.</i>	
	U29	5,482,601	A	1-09-1996	Ohshima <i>et al.</i>	
	U30	5,495,744	A	03-05-1996	Ueda <i>et al.</i>	
	U21	5,501,212	A	03-26-1996	Psaros	
	U32	5,558,083	A	09-24-1996	Bathe <i>et al.</i>	
	U33	5,634,517	A	06-03-1997	Linden <i>et al.</i>	
	U34	5,571,401	A	Lewis <i>et al.</i>	11-05-1996	
	U35	5,573,955	A	11-12-1996	Khanna <i>et al.</i>	
	U36	5,645,072	A	7-08-1997	Thrall <i>et al.</i>	
	U37	5,716,852	A	02-10-1998	Yager <i>et al.</i>	
	U38	5,783,449	A	7-21-1998	Kuznetsov	
	U39	5,801,297	A	09-01-1998	Mifsud <i>et al.</i>	
	U40	5,826,577	A	10-27-1998	Perroz <i>et al.</i>	
	U41	5,861,254	A	1-19-1999	Schneider <i>et al.</i>	
	U42	5,866,434	A	Massey <i>et al.</i>	02-02-1999	
	U43	5,891,398	A	04-06-1999	Lewis <i>et al.</i>	
	U44	5,925,014	A	07-20-1999	Teeple Jr.	
	U45	5,928,167	A	07-27-1999	Wagner <i>et al.</i>	
	U46	5,932,877	A	08-03-1999	Braig <i>et al.</i>	
	U47	5,958,896	A	09-28-1999	Renshaw <i>et al.</i>	
	U48	5,996,586	A	12-07-1999	Phillips	
	U49	6,007,775	A	12-28-1999	Yager	
	U50	6,025,200	A	02-15-2000	Kaish <i>et al.</i>	
	U51	6,057,162	A	5-02-2000	Rounbehler <i>et al.</i>	
	U52	6,063,243	A	5-16-2000	Zettl <i>et al.</i>	
	U53	6,067,167	A	5-23-2000	Atkinson <i>et al.</i>	
	U54	6,074,345	A	06-13-2000	Van Oostrom <i>et al.</i>	
	U55	6,094,681		07-25-2000	Shaffer <i>et al.</i>	

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 8

## Complete if Known

Application Number	10/054,619
Filing Date	January 22, 2002
First Named Inventor	Richard J. Melker
Group Art Unit	3736
Examiner Name	Navin Natnithithadha
Attorney Docket Number	UF-270

## U.S. PATENT DOCUMENTS

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		Number Code <sup>2</sup>	Kind (if known)			
	U56	6,097,485	A	08-01-2000	Lievan	
	U57	6,120,443	A	09-19-2000	Cohen-Laroque	
	U58	6,131,571	A	10-17-2000	Lampotang <i>et al.</i>	
	U59	6,153,147	A	11-28-2000	Craig	
	U60	6,190,858	B1	2-20-2001	Persaud <i>et al.</i>	
	U61	6,203,814	B1	3-20-2001	Fisher <i>et al.</i>	
	U62	6,221,026	B1	4-24-2001	Phillips	
	U63	6,234,006	B1	05-22-2001	Sunshine <i>et al.</i>	
	U64	6,237,397	B1	05-29-2001	Shinar <i>et al.</i>	
	U65	6,248,078	B1	6-19-2001	Risby <i>et al.</i>	
	U66	6,261,783	B1	7-17-2001	Jayasena <i>et al.</i>	
	U67	6,264,913	B1	07-24-2001	Wagner	
	U68	6,277,081	B1	08-21-2001	Susi <i>et al.</i>	
	U69	6,283,953	B1	09-04-2001	Ayer <i>et al.</i>	
	U70	6,303,316	B1	10-16-2001	Kiel <i>et al.</i>	
	U71	6,312,390	B1	11-06-2001	Phillips	
	U72	6,328,708	B1	12-11-2001	Georgieff	
	U73	6,341,520	B1	01-29-2002	Satoh <i>et al.</i>	
	U74	6,363,772	B1	4-02-2002	Berry	
	U75	6,387,329	B1	5-14-2002	Lewis <i>et al.</i>	
	U76	6,399,302	B1	6-04-2002	Lannigan <i>et al.</i>	
	U77	6,416,479	B1	07-09-2002	Seidman	
	U78	6,455,319	B1	09-24-2002	Lewis <i>et al.</i>	
	U79	6,467,333	B2	10-22-2002	Lewis <i>et al.</i>	
	U80	6,479,019	B1	11-12-2002	Goldstein <i>et al.</i>	
	U81	6,495,824	B1	12-17-2002	Atkinson	
	U82	6,511,453	B2	01-28-2003	Georgieff	
	U83	6,558,626	B1	05-06-2003	Aker <i>et al.</i>	
	U84	6,589,727	B1	07-08-2003	Klenerman <i>et al.</i>	
	U85	6,597,438	B1	07-22-2003	Cabuz <i>et al.</i>	
	U86	6,598,459	B1	07-29-2003	Fu	

Examiner  
Signature

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		Number	Kind Code <sup>2</sup> (if known)			
	U87	6,599,253	B1	07-29-2003	Baum <i>et al.</i>	
	U88	6,599,281	B1	07-29-2003	Struys <i>et al.</i>	
	U89	6,620,800	B1	09-16-2003	Roberts II	
	U90	6,631,333	B1	10-07-2003	Lewis <i>et al.</i>	
	U91	6,680,377	B1	01-20-2004	Stanton <i>et al.</i>	
	U92	6,727,075	B2	04-27-2004	Fitzgerald <i>et al.</i>	
	U93	6,755,783	B2	06-29-2004	Cosentino <i>et al.</i>	
	U94	2001/0021815	A1	09-13-2001	Katzman <i>et al.</i>	
	U95	2001/0046674	A1	11-29-2001	Ellington	
	U96	2001/0050228	A1	12-13-2001	Jaeger	
	U97	2001/0055544	A1	12-27-2001	Copp	
	U98	2002/0007687	A1	01-24-2002	Zimmermann <i>et al.</i>	
	U99	2002/0068295	A1	6-06-2002	Madou <i>et al.</i>	
	U100	2002/0034757	A1	3-21-2002	Cubicciotti	
	U101	2002/0177232	A1	11-28-2002	Melker <i>et al.</i>	
	U102	2003/0004426	A1	01-02-2003	Melker <i>et al.</i>	
	U103	2003/0059820	A1	03-27-2003	Vo-Dinh	
	U104	2003/0087239	A1	05-08-2003	Stanton <i>et al.</i>	
	U105	2003/0139681	A1	07-24-2003	Melker <i>et al.</i>	
	U106	2003/0119065	A1	06-26-2003	Lin <i>et al.</i>	
	U107	2003/0216660	A1	11-20-2003	Ben-Oren <i>et al.</i>	
	U108	2004/0027246	A1	02-12-2004	Aguglia	
	U109	2004/0101477	A1	05-27-2004	Leyland-Jones	
	U110	2005/0065446	A1	03-24-2005	Talton	
	U111	09/708,789 (Application No.)		11-08-2000 (Date Filed)	Lampotang <i>et al.</i>	
	U112					
	U113					
	U114					
	U115					
	U116					

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		Code <sup>5</sup> Office <sup>3</sup> (known)	Kind Number <sup>4</sup> (if known)				
	F1		DE 19607646 (English Abstract)	A1	Muehlenberg <i>et al.</i>	09-11-1997	
	F2		DE 29902593 (English Abstract)		Genzyme Virotech GmbH	08-26-1999	
	F3		EP 0 370 151	A1	L'Air Liquide, S. A.	05-30-1990	
	F4		EP 0 979 997 (English Abstract)	A1	Siemens AG	02-16-2000	
	F5		GB 829,409	A	Governors of the United Birmin	03-02-1960	
	F6		GB 2 309 166	A	Cleansharp Limited	07-23-1997	
	F7		GB 2 329 245	A	Cavkit Limited	03-17-1999	
	F8		JP 08313407 (English Abstract)	A	Suzuki Motor Corp.	11-29-1996	
	F9		JP 09196915 (English Abstract)	A	Otsuka Pharmaceut Co. Ltd.	07-31-1997	
	F10		RU 2104535 C1 (English Abstract)		Kogan <i>et al.</i>	02-10-1998	
	F11		WO 87/02773	A1	Autosense Corp.	05-07-1987	
	F12		WO 95/08113	A1	Alpha M.O.S.	03-23-1995	
	F13		WO 98/57145	A1	Quadrivium, L.L.C.	12-17-1998	
	F14		WO 00/25108	A1	Copp Life Systems	05-04-2000	
	F15		WO 00/79243	A1	Cyrano Sciences, Inc.	12-28-2000	
	F16		WO 2002/079514	A1	The Trustees of Boston College	10-10-2002	
	F17		WO 03/016901	A1	Samsung Electronics Co., Ltd.	02-27-2003	
	F18		WO 2004/065404	A1	University of Florida Research Foundation, Inc.	08-05-2004	

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			Application Number	10/054,619	
			Filing Date	January 22, 2002	
			First Named Inventor	Richard J. Melker	
			Group Art Unit	3736	
			Examiner Name	Navin Natnithithadha	
Sheet	6	of	8	Attorney Docket Number	UF-270

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	BRODY, E. N. <i>et al.</i> , "Aptamers as Therapeutic and Diagnostic Agents," <i>Reviews in Molecular Biotechnology</i> (2000), Volume 74, pages 5-13.	
	R2	BRODY <i>et al.</i> "The use of Aptamers in Large Arrays for Molecular Diagnostics," <i>Molecular Diagnosis</i> (1999), Volume 4, number 4, pages 381-388.	
	R3	DICKINSON, T. A. <i>et al.</i> , "Current Trends in 'Artificial-Nose' Technology," <i>Tib Tech</i> , 1998, 16:250-258.	
	R4	FISHER <i>et al.</i> "A man-portable chemical sniffer utilizing Novel Fluorescent polymers for detection of ultra-trace concentrations of explosives emanating from landmines," <i>Nomadics Inc.</i> (2000), PAGES 1-10.	
	R5	GANGA-ZANDZOU, P.S. <i>et al.</i> "A 13C-urea breath test in children with Helicobacter pylori infection: validity of the use of a mask to collect exhaled breath sample," <i>Acta. Paediatr.</i> (2001), Volume 90, pages 232-233.	
	R6	HAMMON III, W. S. <i>et al.</i> , "Forensic GPR: Finite-Difference Simulations of Responses From Buried Human Remains," <i>Journal of Applied Geophysics</i> , (2000), 45:171-186.	
	R7	HONG, C. <i>et al.</i> , "Carbon Nanotube-Enhanced Electrochemical DNA Biosensor for DNA Hybridization Detection" (2003), <i>Anal. Bioanal. Chem.</i> , 375:287-293.	
	R8	LIEBICH <i>et al.</i> "Volatile Substances in Blood Serum: a Profile Analysis and Quantitative Determination," <i>Journal of Chromatography</i> (1977), Volume 142, pages 505-516.	
	R9	MILLER III, E. R. <i>et al.</i> , "Association Between Cigarette Smoking and Lipid Peroxidation in a Controlled Feeding Study," <i>Circulation</i> , (1997), 96(4):1097-1101.	
	R10	MUELLER <i>et al.</i> "Experience in mass spectrometric identification in acute poisoning," <i>Beitr. Diagn. Ther. Akuter. Intox., Votr. Symp. 4<sup>th</sup></i> (1982), pages 126-134, ABSTRACT ONLY.	
	R11	PANTAROTTO D. <i>et al.</i> , "Synthesis, Structural Characterization, and Immunological Properties of Carbon Nanotubes Functionalized with Peptides" (2003), <i>J. Am. Chem. Soc.</i> , 125:6160-6164.	

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			Examiner Name	Navin Natnithithadha	
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	R12	PAVLOU and TURNER. "Sniffing out the truth: Clinical Diagnosis Using the Electronic Nose," <i>Clin. Chem. Lab. Med.</i> (2000), Volume 38, number 2, pages 99-112.	
	R13	PERRI, F. "Diagnosis of <i>Helicobacter pylori</i> infection: which is best? The urea breath test," <i>Dig. Liver. Dis.</i> (2000), Volume 32, Supp. 3, pages S196-198.	
	R14	PHILLIPS, M., "Breath Tests in Medicine," <i>Scientific American</i> , 1992, pages 52-57.	
	R15	Pilar Kraman, "Prescription Drug Diversion," <i>Trends Alert</i> provided by the Council of State Government at <a href="http://www.csg.org">www.csg.org</a> (April 2004).	
	R16	ROGERS <i>et al.</i> "Fiber-optic biosensors based on total internal-reflection fluorescence," <i>American Chemical Society</i> (1992), Ch. 13, pages 165-173.	
	R17	STUART, B. H. <i>et al.</i> , "Studies of Adipocere Using Diffuse Reflectance Infrared Spectroscopy," <i>Vibrational Spectroscopy</i> , 24:233-242, (2000).	
	R18	STUBBS, D. D. <i>et al.</i> , "Investigation of Cocaine Plumes Using Surface Acoustic Wave Immunoassay Sensors," <i>Anal. Chem.</i> , 75:6231-6235, (2003).	
	R19	TRACQUI, A. <i>et al.</i> "Systematic Toxicological Analysis Using HPLC/DAD," <i>Journal of Forensic Sciences</i> (1995), Volume 40, Number 2, pages 254-262.	
	R20	U.S. FOOD AND DRUG ADMINISTRATION, "FDA White Paper, Protecting the Public Health: FDA Pursues and Aggressive Enforcement Strategy," <a href="http://www.fda.gov/oc/whitepapers/enforce.html">www.fda.gov/oc/whitepapers/enforce.html</a> (06-30-2003).	
	R21	U.S. FOOD AND DRUG ADMINISTRATION, "New FDA Initiative to Combat Counterfeit Drugs," <a href="http://www.fda.gov/oc/initiatives/counterfeit/background.html">www.fda.gov/oc/initiatives/counterfeit/background.html</a> (07-02-2004).	
	R22	UNITED STATES DEPARTMENT OF JUSTICE, "Review of the Drug Enforcement Administration's (DEA) Control of the Diversion of Controlled Pharmaceuticals," Report Number I-2002-010 <a href="http://www.usdoj.gov/oig/inspection/DEA/0210/background.htm">www.usdoj.gov/oig/inspection/DEA/0210/background.htm</a> (September 2002).	

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	R23	VASS, A., "Beyond the Grave – Understanding Human Decomposition," <i>Microbiology Today</i> , Nov. 2001, 28:190-192.	
	R24	VASS, A. <i>et al.</i> , "Decomposition Chemistry of Human Remains: A New Methodology for Determining the Postmortem Interval," <i>J. Forensic Sci.</i> , (2002), 47(3):542-553.	
	R25	VASS, A. <i>et al.</i> , "Detection of Buried Human Remains Using Bioreporter Fluorescence," U.S. Dept. of Energy Report, Y/NSP-726 (2001).	
	R26		
	R27		
	R28		
	R29		
	R30		
	R31		
	R32		
	R33		

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